

BILL ANALYSIS

Senate Research Center

S.B. 2
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Natural Resources
6/20/2001
Enrolled

DIGEST AND PURPOSE

Texas currently faces many water challenges. The 75th Texas Legislature enacted a major water planning bill, S.B. 1, in 1999. S.B. 2 addresses the implementation and financing of the water strategies and recommendations identified in the last four years by Texas' 16 regional water planning groups.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Natural Resource Conservation Commission in SECTIONS 1.09 (Section 9.011, Water Code), 8.01 (Section 26.0286, Water Code), 9.01 (Section 13.2541, Water Code), 10.01 (Section 13.137, Water Code), 10.04 (Section 13.182, Water Code), 10.07 (Section 13.343, Water Code), and 11.03 (Section 27.051, Water Code).

Rulemaking authority is expressly granted to the Texas Water Development Board in SECTIONS 2.17 (Section 16.053, Water Code), 2.44 (Section 36.101, Water Code), 2.45 (Section 36.102, Water Code), 2.63 (Section 4.03, Chapter 1029, Acts of the 76th Legislature, Regular Session, 1999), 4.01 (Section 15.907, Water Code), 4.02 (Section 15.955, Water Code), 4.07 (Section 15.102, Water Code), 4.08 (Section 15.105, Water Code), 6.01 (Section 1.115, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993), and 13.03.

Rulemaking authority is expressly granted to a district or authority created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, that has the authority to regulate the spacing of water wells, the production from water wells, or both in SECTIONS 2.44 (Section 36.101, Water Code), 2.50 (Section 36.116, Water Code), 3.0111, 3.0504, 3.0812, 3.1006, 3.1306, 3.1406, and 3.1506.

Rulemaking authority is expressly granted to the Edwards Aquifer Authority in SECTION 6.02 (Section 1.15, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993).

Rulemaking authority is expressly granted to a regulatory authority in SECTION 10.05 (Section 13.183, Water Code).

SECTION BY SECTION ANALYSIS

ARTICLE 1. TEXAS WATER ADVISORY COUNCIL

Sets forth provisions regarding the creation and duties of the Texas Water Advisory Council.

ARTICLE 2. SURFACE WATER AND GROUNDWATER CONJUNCTIVE MANAGEMENT; REGULATORY INCENTIVES

Sets forth provisions regarding surface water and groundwater conjunctive management. Sets forth provisions regarding regulatory incentives.

ARTICLE 3. DISTRICT RATIFICATION AND CREATIONS

Sets forth provisions regarding the ratification and creation of certain water conservation districts.

ARTICLE 4. WATER INFRASTRUCTURE FINANCING

Sets forth provisions regarding water infrastructure financing.

ARTICLE 5. JOINT COMMITTEE ON WATER RESOURCES

Sets forth provisions regarding the terms and composition of the joint committee on water resources.

ARTICLE 6. RULEMAKING PROCEDURES FOR THE EDWARDS
AQUIFER AUTHORITY

Sets forth provisions regarding the rulemaking procedures for the Edwards Aquifer authority.

ARTICLE 7. LIMITED LIABILITY FOR AQUATIC HERBICIDE APPLICATION

Sets forth provisions regarding the limited liability for aquatic herbicide application.

ARTICLE 8. CONCENTRATED ANIMAL FEEDING OPERATIONS

Sets forth provisions regarding concentrated animal feeding operations.

ARTICLE 9. REVOCATION OF CERTIFICATE OF PUBLIC UTILITY

Sets forth provisions regarding revocation of certificate of public utility.

ARTICLE 10. WATER UTILITY SYSTEMS

Sets forth provisions regarding water utility systems.

ARTICLE 11. MISCELLANEOUS PROVISIONS

Sets forth miscellaneous provisions.

ARTICLE 12. NORTH HARRIS COUNTY REGIONAL WATER AUTHORITY

Sets forth provisions regarding the North Harris County regional water authority.

ARTICLE 13: REPORTS; REPEALER; TRANSITION; VALIDATION;
EFFECTIVE DATE

Sets forth provisions regarding certain procedures for the implementation of this Act.